

REMARKS

Further examination and reconsideration of the subject application, in view of the remarks below, are respectfully requested.

Status of Claims

Claims 9-20 are pending in the application.

Claim Rejections – 35 U.S.C. § 103

In the Advisory Action, the Examiner's rejection of claims 9-20 is based a new reference that was never previously cited (U.S. Patent No. 3,684,600 to Smedberg). This establishes a new ground of rejection. As such, it is improper for the Examiner to maintain the rejection's finality. MPEP § 706.07(a). Applicants, therefore, request that the Examiner withdraw the reference or the finality of the rejection.

Nonetheless, even if Smedberg '600 could properly be relied upon, it does not remedy the deficiencies of the originally applied references. For example, while Smedberg '600 mentions that its hot-melt adhesive can be applied by means other than applicator rolls, it does not disclose any alternative methods. There is no indication that the disclosed hot-melt adhesive could be extruded as a heated sheet as set forth in representative claim 9.

Moreover, Smedberg '600 discloses that "[a]n essential feature of [its] invention is the application of a low viscosity precoat adhesive to the backside of the tufted structure prior to the application of the hot melt adhesive backsizing composition." Col. 3, lines 61-64. Thus, if persons skilled in the art were to follow the teachings of Smedberg '600, those persons would be led to use a low viscosity precoat adhesive, thereby introducing an intermediate layer between the tufted structure and the hot-melt adhesive composition. Such use, however, would not satisfy step (b) of representative claim 9, which calls for fusing the upper surface of the secondary backing to the bottom surface of the tufted primary backing with the heated sheet. Thus, even if Smedberg '600 could properly be applied, it would still not have led persons skilled in the art to arrive at the claimed invention.

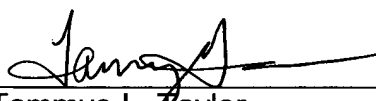
For the foregoing reasons, there's no *prima facie* case of obviousness, and the rejection should be withdrawn.

Conclusion

In summary, Applicants believe the application to be in condition for allowance. Accordingly, the Examiner is respectfully requested to reconsider the rejection(s), remove all rejections, and pass the application to issuance.

Respectfully submitted,

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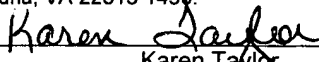


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Karen Taylor

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